IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4616 OF 2004

Maharashtra State Road
Transport Corporation ... Petitioner

V/s.

shantaram Babaji Agivle ... Respondent

Mr.G.S. Hegde for Petitioner
Mr.I.R. Kulkarni for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **AUGUST 2, 2004**

P.C.:

. The Labour Court has considered the fact that the respondent was reinstated in service during the pendency of the complaint w.e.f. 6.2.1992. It has, therefore, granted 50% backwages from 7.4.1980 till 6.2.1992 with continuity of service from 7.4.1980. The Industrial Court has disallowed the revision. Mr.Kulkarni, learned Advocate for the Respondent, states on instructions from the Respondent that the Respondent is willing to forego the backwages awarded by the Labour Court and the Respondent would be satisfied if continuity of service is granted w.e.f. 7.4.1980 as directed by the Labour Court.

2. After considering the judgment of the Labour

Court and the Industrial Court, I am of the opinion that this is a very fair suggestion made on behalf of the Respondent. Accordingly, the order of the Labour Court is modified to the extent that the Respondent is entitled to continuity of service from 7.4.1980 having been reinstated w.e.f. 6.4.1992.

3. The order of the Industrial Court is, thus, modified accordingly.

4. No costs.

5. Writ Petition stands disposed of.